

**Proposed amendment to**  
**Superior Court Rule 47: Filing of Papers upon Judgment**  
**(Applicable to civil actions)**

A bill of exchange, promissory note, check, trade acceptance, certificate of deposit or any negotiable instrument, shall be filed with the clerk before judgment thereon shall be entered or execution issued, unless the court otherwise orders.

Such instrument shall not be withdrawn from the files, except upon (1) order of the court, (2) the making by the clerk of a memorandum on such instrument, if practicable, and otherwise on a paper attached thereto, showing the name of the court, the county, the number of the case, the date of judgment, the party or parties against whom judgment was rendered, and the amount thereof, and (3) the filing of a copy of such instrument attested by the clerk.

Any person seeking enforcement of a lost or stolen negotiable instrument must provide sufficient proof in writing that the person required to pay the instrument is adequately protected against loss that might occur by reason of a claim by another person to enforce the instrument. No judgment shall enter unless the court makes a finding to that effect pursuant to G. L. c. 106, § 3-309(b).